

46

ENROLLED BILL

Committee Sub. for

Senate Bill No. 46

Originating in the Committee on the
(By Mr. Judiciary)

Passed March 11, 1931

In Effect July 1, 1931 Passage

Originated in the Senate. Takes effect July 1, 1931. Passage
M. S. Hayes Clerk of the Senate. Clerk of the House of Delegates.

CORRECTLY ENROLLED

Chairman House Committee. Chairman Senate Committee.

ENROLLED BILL

(Com. Sub. for S. B. No. 46)

[Passed March 11, 1931; to take effect from July 1, 1931.]

AN ACT to amend and re-enact section eleven of article one of chapter thirty-nine of the code of West Virginia relating to the recordation of writings and plats and papers annexed.

Be it enacted by the Legislature of West Virginia:

That section eleven of article one of chapter thirty-nine of the code of West Virginia be amended and re-enacted so as to read as follows:

Section 11. Every writing authorized by law to be recorded, 2 when admitted to record, shall, with all certificates of acknowl- 3 edgment, and all plats, schedules and other papers thereto annex- 4 ed or thereon indorsed, be recorded by, or under the direction of, 5 the clerk of the county court, in a well-bound book, to be care-

CORRECTLY ENROLLED

Jacob D. Smith
Chairman Senate Committee.

Emmett M. Adams
Chairman House Committee.

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6 fully preserved; and there shall be an index to such book as
7 well in the name of the grantee as of the grantor. After being
8 so recorded, such writing may be delivered to the party entitled
9 to claim under the same. If there appear upon such writing, or
10 any paper or certificate annexed thereto, any interlineation,
11 erasure or alteration, of which no memorandum is contained in
12 the writing, paper or certificate, the clerk shall append to the
13 record thereof a memorandum describing as accurately as may
14 be such interlineation, erasure or alteration; and such memoran-
15 dum shall be copied into every certified copy of such writing,
16 paper or certificate. Every such memorandum, or a duly cer-
17 tified copy thereof, shall be prima facie evidence of what is
18 therein stated: *Provided, however,* That the clerk of the county
19 court may refuse to accept for recordation any printed instru-
20 ment printed in whole or in part in smaller than ten point type
21 with at least two points separating each line. Any failure of
22 such instrument to be so accepted by the clerk of the county
23 court shall not affect the validity thereof as to the parties there-
24 to: *Provided, further,* That any such instrument shall be
25 accepted by the clerk for recordation at two times the legal fee
26 therefor.

CORRECTLY ENROLLED

James D. Smith
Chairman Senate Committee.

J. Alfred Taylor
Speaker of the House of Delegates.

Wm. H. King
Clerk of the House of Delegates.

Wm. H. Harts
President of the Senate.

M. S. Hayes
Clerk of the Senate.

James W. Meadows
Chairman House Committee.

The within is *Approved*
this *13th* day of *March*, 1931.

W. G. Gouley
Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 14 1931**
GEORGE W. ENARM,
Secretary of State.